



PROPOSED RULE MAKING

CR-102 (June 2004)**(Implements RCW 34.05.320)**Do **NOT** use for expedited rule making**Agency:** Department of Ecology AO# 09-04

- ☒ **Preproposal Statement of Inquiry was filed as WSR 09-11-127** ; or
☐ **Expedited Rule Making--Proposed notice was filed as WSR** _____ ; or
☐ **Proposal is exempt under RCW 34.05.310(4).**

- ☐ **Original Notice**
☒ **Supplemental Notice to WSR 11-01-105**
☐ **Continuance of WSR** _____

Title of rule and other identifying information: (Describe Subject)

Chapter 173-334 WAC, Children's Safe Products - Reporting Rule.

As signed into law, the Children's Safe Product Act requires manufacturers of children's products to report the presence of Chemicals of High Concern to Children (CHCCs) to the department. The purpose of the rule is to clarify the following: the process to be used to update the reporting list for CHCCs, definitions of several key terms, and the reporting process.

Hearing location(s): Ecology Headquarters Building,
300 Desmond Drive SE,
Lacey WA 98503

Date: 06/08/2011 Time: 7:00 PM

Date of intended adoption: 07/08/2011
(Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: John R. Williams Jr.

Address: PO Box 47600

Olympia WA 98504-7600

e-mail john.williams@ecy.wa.govfax (360) 407-6102 by (date) 06/15/2011**Assistance for persons with disabilities:** ContactMichelle Payne, (360) 407-6129 by 05/27/2011TTY (711) or (877) 833-6341**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

As signed into law, the Children's Safe Product Act requires manufacturers of children's products to report the presence of Chemicals of High Concern to Children (CHCCs) to the department. The purpose of the rule is to clarify the following: the process to be used to update the reporting list for CHCCs, definitions of several key terms, and the reporting process. Ecology made a number of changes to proposed rule language in response to comments received during the first comment period, which closed January 7th, 2011. This new language is being proposed for additional public comment.

Reasons supporting proposal:

The rule will make it easier for the regulated community to comply with the reporting requirements established by RCW 70.240.

Statutory authority for adoption: Children's Safe Product Act
(CSPA) - RCW 70.240.040

Statute being implemented: Children's Safe Product Act
(CSPA) - RCW 70.240

Is rule necessary because of a:

- Federal Law? ☐ Yes ☒ No
Federal Court Decision? ☐ Yes ☒ No
State Court Decision? ☐ Yes ☒ No
If yes, CITATION:

DATE
5/3/11

NAME (type or print)
Polly Zehm

SIGNATURE *Polly Zehm*

TITLE
Deputy Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: May 04, 2011**TIME: 9:26 AM****WSR 11-10-088**

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

N/A

Name of proponent: (person or organization) Washington State Department of Ecology

- ☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

| Name | Office Location | Phone |
|---|----------------------------------|----------------|
| Drafting..... John R. Williams, Jr. | Waste 2 Resources - Headquarters | (360) 407-6940 |
| Implementation....John R. Williams, Jr. | Waste 2 Resources - Headquarters | (360) 407-6940 |
| Enforcement..... John R. Williams, Jr. | Waste 2 Resources - Headquarters | (360) 407-6940 |

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☒ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name: John R. Williams, Jr.

Address: PO Box 47600

Olympia, WA 98504-7600

phone (360) 407-6940

fax (360) 407-6102

e-mail john.williams@ecy.wa.gov

☐ No. Explain why no statement was prepared.

Is a cost-benefit analysis required under RCW 34.05.328?

☒ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: John R. Williams, Jr.

Address: PO Box 47600

Olympia, WA 98504-7600

phone (360) 407-6940

fax (360) 407-6102

e-mail john.williams@ecy.wa.gov

☐ No: Please explain: